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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/901,894	07/11/2001	Paul John Feluch	PAT 554-2	7868

26123 7590 04/18/2003

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EXAMINER

LE, JOHN H

ART UNIT PAPER NUMBER

2863

DATE MAILED: 04/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/901,894

Applicant(s)

FELUCH, PAUL JOHN

Examiner

John H Le

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.84 for the reasons set forth by the draftsman. See attached PTO-948 form for details. Correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Kent (USP 6,163,761).

Regarding claim 1, Kent teaches data collection processor 38, which read on a data collection device operatively connected to electronic sensors 28, 30, which read on well production equipment for obtaining production data (Col.4, lines 57-64) and for reporting the production data to a computer 12 via a wired or wireless interface (Fig/1) (Col.4, lines 22-30).

Regarding claim 2, Kent teaches the computer 10 is a central computer in operative connection with a plurality of data collection devices each connected to respective production data (Col.4, lines 22-39).

Regarding claims 3 and 9, Kent teaches the data collection device includes a central processor operatively connected to an operator input system and a display system, the operator input system for receiving commands from an operator and the display system for displaying processed or unprocessed production data (Col.2, lines 15-28/Col.5, lines 16-25).

Regarding claims 4 and 10, Kent teaches the data collection device includes any one of or a combination of a digital or analog input/output device operatively connected to the central processor and wherein the digital and/or analog output devices are for operative connection to one or more production sensors or controls (Col.2, lines 15-28).

Regarding claims 5 and 11, Kent teaches the data collection device includes data storage memory 16 operatively connected to the central processor for storing production data prior to upload to the computer (Col.5, lines 10-13).

Regarding claims 6 and 12, Kent teaches the computer includes software having a central management module for managing the collection, analysis and reporting of production data from the data collection device (Col.2, lines 5-13/Col.4, lines 7-14).

Regarding claims 7 and 13, Kent teaches the central management module is operatively connected to a communication interface for sending and receiving data to and from the data collection device (Fig.1)(Col.4, lines 15-22).

Regarding claims 8 and 14, Kent teaches the central management module includes a control module for sending control instructions to the production controls through the data collection device (Col.3, lines 32-36).

Regarding claim 15, Kent teaches a data acquisition system for collecting data from at least one production data comprising data collection processor 38, which read on a data collection device operatively connected to production equipments for obtaining production data from a production equipment (Col.4, lines 57-64) and for providing control instructions to the production equipment (Col.3, lines 32-36), a central computer 10 operatively connected to the data collection device for receiving production data from the data collection device and for sending control instructions to the production equipment via a wired or wireless interface (Fig.1)(Col.4, lines 22-39), wherein the central computer includes a central management module for managing the collection, analysis and reporting of production data from the data collection device (Col.2, lines 5-13/Col.4, lines 7-14); a production data database 16; a wired or wireless interface 18 (Fig.1); a reporting module for formatting reports from the production data database (Col.4, lines 4, lines 60-64); and a graphical display module for displaying production data from the production data database (Col.2, lines 19-28).

Regarding claim 16, Kent teaches a method of collecting data from a production equipment comprising the steps of operatively connecting a data collection device to production equipment (Col.4, lines 57-64), uploading production data from the data collection device via a wired or wireless link to a central computer (Col.4, lines 15-21).

Regarding claim 17, Kent teaches the step of sending a control instruction to the production equipment from the central computer (Col.3, lines 32-36).

Other Prior Art

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Madden et al. (USP 6,516,239) disclose an assembly line control system.

Matsumoto et al. (USP 6,199,755) disclose a machine data acquisition system and method.

Miller et al. (USP 6,041,332) disclose a method for configuring software to monitor, generate, acquire, collect, store and analyze Perform Monitoring data from telecommunication equipment, including the steps of maintaining a library of product-independent Perform Monitoring data processing modules.

Minor et al. (USP 4,718,025) discloses a manufacturing management control system that automatically logs data from a production facility according to sampling and logging instructions entered into the computer by the production staff.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Le whose telephone number is (703) 605-4361. The examiner can normally be reached on Monday to Friday from 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. John Barlow, can be reached at (703) 308-3126. The facsimile number for Technology Center 2800 is (703) 308-5841.

Application/Control Number: 09/901,894
Art Unit: 2863

Page 6

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist of the Technology Center whose telephone number is (703) 308-0956.

John Le
Patent Examiner-Group 2863
April 13, 2003

BRYAN BUI
PRIMARY EXAMINER

